

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT ON ATTORNEY FEES IN A CIVIL CASE

JOHN CHRISMAN

vs.

**CASE NUMBER: 6:09-CV-369
(NAM/GHL)**

**MICHAEL J. ASTRUE,
Commissioner of Social Security**

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the August 20, 2010 Report and Recommendation of Magistrate Judge George H. Lowe is adopted its entirety. The Commissioner's determination of no disability is VACATED and the matter is REMANDED to the Commissioner for further consideration.

IT IS FURTHER ORDERED that Plaintiff be awarded fees under the Equal Access to Justice Act in the amount of \$4,440.00 and that fees are payable to the Plaintiff. If Plaintiff does not owe a debt subject to offset, fees are payable to Plaintiff's attorney, Stephen J. Mastaitis.

All of the above pursuant to the Orders of the Honorable Judge Norman A. Mordue, dated the 14th day of September, 2010 and the 3rd day of November, 2010.

DATED: November 5, 2010



Lawrence A. Baum
Clerk of Court

s/ Melissa Ennis
Melissa Ennis
Deputy Clerk